

## MINUTES

### City Council Meeting Monday, April 15, 2013 – 7:00 p.m.

**Call to Order:** Mayor Holder welcomed everyone and called the meeting to order at 7:00 p.m.

**Opening:** Mayor Holder offered the opening prayer and led City Council in the Pledge of Allegiance to the flag.

**Roll Call:**

**Members Present:** Mayor Holder presided. **Council Members:** Mayor Pro-tem George, Don Bethune, Bruce Campbell, Rosetta Cody, Bessie Kicklighter and Judy Shuman.

**Staff Present:** Brian Johnson, City Manager; Ron Feldner, Deputy City Manager; Rhonda Ferrell-Bowles, Clerk of Council; James P. Gerard, City Attorney; Ben Brengman, IT Director; Cory Salley, Finance Director; Scott Allison, PED Director; David Lyons, Chief of Police; Jimmy Crosby, Fire Chief; Cliff Ducey, Parks & Recreation Director and Benny Gooze, Public Works Director; Pam Franklin, HR Director and Charles Draeger, Water Operations Director.

Mayor Holder said City Council held a pre-agenda session prior to tonight's meeting. He said no decisions were made during the pre-agenda session.

**Board & Committee Reports:** PED Director briefed City Council on the Board of Zoning Appeals / Planning Commission Minutes dated 4/9/13.

**Informal Public Comment:** Mayor Holder opened the floor to receive informal public comment.

Thomas Bacon, 17 Briarwood Drive, said I am concerned about 10 Briarwood Drive. He said I was informed by Commission Center that Garden City had the gas lines cut and dug up at 10 Briarwood Drive. He said I have put in a request for information under the Freedom of Information Act. He said I read that the road that connects Smith Avenue to Pipmakers is Garden City's road and the County stated that they cannot use that as an access road, because it is Garden City's road and that is why they have to demolish the house to construct an access road on 10 Briarwood. He said the more I investigate this the more ridiculous it gets. He said Commission Center and Commissioner Kicklighter walked the neighborhood today and didn't talk to any of the residents. He said it appears that they aren't doing anything.

City Attorney said we just finished discussing with the County the right-to-own easement referencing the road you are speaking about. He said it was determined that it is in the County's jurisdiction, not Garden City's.

Mayor Holder asked the City Manager to schedule an appointment for Tuesday or Thursday so I can meet with Commission Center and Commission Kicklighter to discuss this matter.

Reverend Monroe, 46 Hawkinsville Road, said I received a letter regarding the lease fees going up. He said I am not opposed to the fee increase, but this was initiated in February 2012 when Mayor and City

Council were upset at my comments. He said at a workshop it was said that we got to stop Reverend Monroe, because we are not going to sit on council four years and put up with him. He said it was then mentioned in relationship to me at that workshop about increasing the fees on the gym rental.

Minister Johnson, Hawkinsville Road, said we are trying to build a consensus with the community and you all always have some kind of plan to derail our plan. He said we are trying to build up our City and have tried to set up meetings and they always get cancelled. He said you all are always changing the rules. He said we are not trying to destroy the City. He said we have not been treated fairly. He said this is a personal vendetta. He said we have always felt like second class citizens. He said you should play by the rules you set at the beginning instead of changing them.

Councilmember Kicklighter said didn't all the rental fees go up.

City Manager replied, yes.

Charles Russell, 322 Chatham Villa Drive, said I would like to thank you for fixing my driveway and the manhole in front of my house.

Eloise Johnson, 3908 Third Street, said the dedication of the Cooper Center was not done right. She said you are supposed to invite the families involved with the Center. She said Garden City does a lot of things they shouldn't do. She said there are a lot of young men that are coming to the center between 9:00 a.m. and 1:00 p.m. that should be out working, not sitting around the Center. She said the playground is always locked so the children can't play on the weekends or evenings. She said what good is a playground if the children can't get in to play. She said the children need a place to go on the weekend and the Center needs to be open so they have somewhere to go.

Ms. Young, 4120 Fourth Street, said I would like to request my three minutes be given to Gary Monroe.

Reverend Monroe said the City Manager is leading you all a stray. He said the City Manager has said things about you all to me personally. He said the City Manager should be removed. He said the Savannah Morning News should be contacted to investigate some of the things being done. He said the City Manager dictates to you what to be done. He said I watched when Ms. Young asked to give her three minutes to me and you all look to the City Manager to see what to do. He said you all shouldn't let him dictate what you should do. He said you all need to do what is needed for Garden City. He said I live near the Gym and I have been called on occasion to open the gym to assist the recreation staff. He said I volunteer to open the gym to help out and now you all say that you got to stop Reverend Monroe. He said I am sorry to hear that.

There being no further questions or comments, Mayor Holder closed the informal public comment portion of the meeting.

**State of the City Address:** Mayor Holder presented the State of the City Address.

**Public Hearings:**

**PC1305 – Zoning Text Amendment:** Mayor Holder opened the public hearing to receive public comment on a request by the City of Garden City for an ordinance to amend the zoning ordinance of Garden City, Georgia, as amended; to amend Paragraph 12 of Section 90-47(B) to permit churches and

other places of worship with the approval of the Board of Zoning Appeals to operate in all C-2 zoning districts within the City; to repeal all ordinances in conflict therewith; to provide an effective date; and for other purposes.

PED Director stated the purpose of the text amendment is to allow for the use of Churches and Places of Worship to be permitted by right within a C-2 zoning district. He said the amendment more closely aligns with the zoning regulations and is fitting with the Religious Land Use and Institutionalized Persons Act and will help alleviate potential legal issues.

There being no further questions or comments, Mayor Holder closed the public hearing on PC1305.

**City Council Minutes:** Upon motion by Councilmember Kicklighter, seconded by Councilmember Bethune, City Council voted unanimously to approve the minutes dated 4/1/13.

**Staff Reports:**

Director of Finance presented the Finance Department's Monthly Status Report.

Director of Water Operations presented the Water Operations Department's Monthly Status Report.

Fire Chief presented the Fire Department's Monthly Status Report.

Chief of Police presented the Police Department's Monthly Status Report.

Chief Lyon introduced the Police Department's new police dog name Arie. He said Arie is two years old and just completed school last Friday. He said Arie will be a great asset to our department.

**Items for Consideration:**

**Appropriation of FY2012 Fund Balance:** Mayor Holder said we have for consideration the appropriation of the FY2012 Fund Balance in the amount of \$257,858, in order to complete various projects.

Upon motion by Councilmember Kicklighter, seconded by Councilmember George, City Council voted unanimously to approve appropriating the FY2012 Fund Balance in the amount of \$257,858, in order to complete various projects.

**First Reading, Alcohol Tasting-Sampling License Ordinance:** Clerk of Council read for the first reading an ordinance to amend the Code of Ordinances of Garden City, Georgia, as amended, to amend Article II, Division 4, of Chapter 6, relating to the sale of alcoholic beverages for off-premises consumption, for the purpose of permitting wine, beer, and malt beverage tasting at businesses already licensed for consumption off-premises under certain circumstances; establishing an ancillary license and fee therefor; to repeal all ordinances in conflict herewith; to provide an effective date; and for other purposes.

Upon motion by Councilmember Bethune, seconded by Councilmember Kicklighter, City Council voted unanimously to approve the alcohol tasting-sampling license ordinance on the first reading.

Upon motion by Councilmember Kicklighter, seconded by Councilmember Bethune, City Council voted unanimously to suspend the rules of council and hold the second reading of the ordinance.

**Second Reading, Alcohol Tasting-Sampling License Ordinance:** Clerk of Council read for the second reading an ordinance to amend the Code of Ordinances of Garden City, Georgia, as amended, to amend

Article II, Division 4, of Chapter 6, relating to the sale of alcoholic beverages for off-premises consumption, for the purpose of permitting wine, beer, and malt beverage tasting at businesses already licensed for consumption off-premises under certain circumstances; establishing an ancillary license and fee therefor; to repeal all ordinances in conflict herewith; to provide an effective date; and for other purposes.

Upon motion by Councilmember Kicklighter, seconded by Councilmember Bethune, City Council voted unanimously to adopt the ordinance on the second reading.

**FY2013 LMIG City Street Reconstruction & Pavement Resurfacing & Restriping:** Mayor Holder said we have for consideration awarding the FY2013 LMIG contract to R.B. Baker Construction in the amount of \$1,043,381.74.

Upon motion by Councilmember Kicklighter, seconded by Councilmember Bethune, City Council voted unanimously to approve awarding the FY2013 LMIG contract to R.B. Baker Construction in the amount of \$1,043,381.74

Mayor Holder said we have for consideration the allocation of the remaining \$15,000 of the identified budget from Table 1 and authorizing an additional \$10,000 from the General Fund Reserves to enable the City to contract with the consulting engineer and the field testing company to provide construction phase services on behalf of the City (i.e. administration, field oversight and QA/QC testing work).

Upon motion by Councilmember Bethune, seconded by Councilmember George, City Council voted unanimously to approve consideration the allocation of the remaining \$15,000 of the identified budget from Table 1 and authorizing an additional \$10,000 from the General Fund Reserves to enable the City to contract with the consulting engineer and the field testing company to provide construction phase services on behalf of the City (i.e. administration, field oversight and QA/QC testing work).

**Stadium Restroom Renovations:** Mayor Holder said we have for consideration awarding the construction services contract to CNB Construction for the amount of \$83,870.00 to renovate the restroom facilities at the Garden City Stadium.

Upon motion by Councilmember Shuman, seconded by Councilmember Kicklighter, City Council voted unanimously to approve awarding the construction services contract to CNB Construction for the amount of \$83,870.00 to renovate the restroom facilities at the Garden City Stadium.

**Jacobs Strategic Plan –** Mayor Holder said we have for consideration awarding the consultant services contract to Jacobs for the amount of \$74,744.00 to assist with the development of Garden City's Strategic Plan.

Upon motion by Councilmember Shuman, seconded by Councilmember George, City Council voted unanimously to approve awarding the consultant services contract to Jacobs for the amount of \$74,744.00 to assist with the development of Garden City's Strategic Plan.

**Executive Session Held on 4/1/13:** Mayor Holder said the purpose of the executive session held on 4/1/13 was to conduct the City Manager's performance evaluation. He said we are all very pleased with our City Manager's performance. He said we would like to thank the City Manager for the fine job, his

guidance and work ethic. He said the only complaint that we all had is that the City Manager works to much. He said he is here a lot of times from 4:00 a.m. until 9:00 p.m. or later.

**Adjournment:** Mayor Holder made a motion to adjourn, seconded by Councilmember Kicklighter. City Council voted unanimously to adjourn at 8:25 p.m.

***Transcribed by Rhonda Ferrell-Bowles, Clerk of Council***

***Adopted by City Council 5-6-13***